

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CLEVELAND EVANS,

Plaintiff,

v.

R. PERRY, et al.,

Defendants.

No. 2:23-cv-0076-TLN-AC P

ORDER

Plaintiff Cleveland Evans (“Plaintiff”), a state prisoner proceeding pro se, filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On September 3, 2025, the magistrate judge filed findings and recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within twenty-one days. (ECF No. 21.) This deadline has passed, and no objections have been filed.

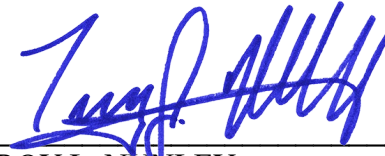
The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s conclusions of law are reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court[.]”). Having reviewed the file, the Court finds the findings and recommendations to be supported by

1 the record and by the proper analysis.

2 Accordingly, IT IS HEREBY ORDERED that:

- 3 1. The findings and recommendations, (ECF No. 21), are ADOPTED in full;
- 4 2. For the reasons set forth in the July 14, 2025, screening order, (ECF No. 20 at 2–5), all
- 5 claims except for the Fourteenth Amendment procedural due process claim against
- 6 Defendant Leslie are DISMISSED without prejudice; and
- 7 3. This matter is REFERRED BACK to the assigned magistrate judge for further
- 8 proceedings.

9 DATED: October 24, 2025



10 TROY L. NUNLEY
11 CHIEF UNITED STATES DISTRICT JUDGE
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